

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

COMMONWEALTH OF P.R., ET AL

Plaintiffs

v.

TEXTILE APPAREL

Defendants

CIV. NO. 98-1420 (JAG)

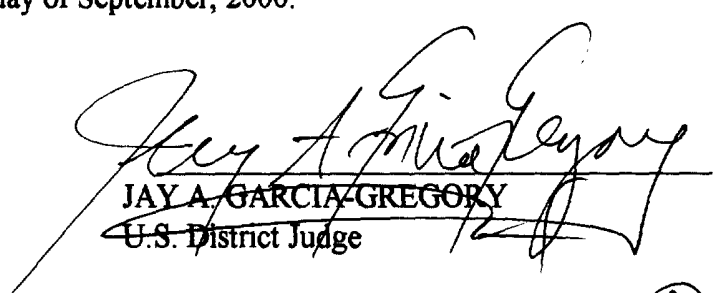
RECEIVED & FILED
SEP 18 AM 10 58
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

ORDER

After reviewing the Complaint, the Court is of the view that the case should be dismissed for lack of jurisdiction. A State (or a state agency) "cannot be a 'citizen' of itself for purposes of diversity jurisdiction." University of R. I. v. A. W. Chesterton Co., 2 F.3d 1200, 1202 (1st Cir. 1993) (citing Moor v. County of Alameda, 411 U.S. 693 (1973)). Since the jurisdictional allegations of the Complaint are premised on the diversity jurisdiction statute, 28 U.S.C. § 1332, neither the Commonwealth of Puerto Rico nor the Department of Labor and Human Resources can be deemed to be proper parties for diversity purposes. Accordingly, the Court orders plaintiffs to show cause, by September 29, 2000, why this matter should not be dismissed for lack of jurisdiction.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 15th day of September, 2000.


JAY A. GARCIA-GREGORY
U.S. District Judge

20